

22-cr-325(1) ECT/JFD
Rule 5 Docs

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff)	
)	
v.)	
)	Criminal Action
RUBEN CAZARES,)	No. 22-mj-2075DPR
)	
Defendant.)	

ORDER APPOINTING COUNSEL

The above-named defendant having appeared before the United States Magistrate Judge on the 19th day of December, 2022, the United States Magistrate Judge finds that defendant not having waived counsel, it is

ORDERED that the Federal Public Defenders' Office for the Western District of Missouri be, and it is hereby, appointed to represent the defendant before the United States Magistrate Judge in this district.

/s/ David P. Rush
DAVID P. RUSH
United States Magistrate Judge

Date: December 19, 2022

***UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION***

MINUTE SHEET

UNITED STATES OF AMERICA

Date: December 19, 2022

vs.

Case No.: 22-mj-02075-DPR-01

RUBEN CAZARES

Honorable David P. Rush, presiding at Springfield, Missouri

Nature of Hearing: Rule 5(c)(3) Out – Initial Appearance

Time Commenced: 1:20 p.m.

Time Terminated: 1:24 p.m.

APPEARANCES

Plaintiff: Stephanie Wan, AUSA

Defendant: Megan Chalifoux, CJA

USPPTS: Elizabeth Dempsey

Interpreter: Lisa Lewis

Proceedings: Parties appear as indicated above. Defendant appears in person

FPD's appointed for this district only. Government moves for detention. Defendant advised of rights and questioned as to completion of the waiver of Rule 40 hearings. Defendant waives the right to an identity hearing and a detention hearing in this district. Defendant reserves the right to a preliminary and detention hearing in the charging district. Defendant ordered removed to the District of Minnesota.

Defendant in custody.

Courtroom Deputy/ERO: Rebecca Furtak

UNITED STATES DISTRICT COURT

for the

Western District of Missouri

United States of America

v.

RUBEN CAZARES

Defendant

Case No. 22-mj-2075-DPR

Charging District's Case No.

**WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)**I understand that I have been charged in another district, the *(name of other court)* District of Minnesota.

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☐ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☒ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 12/19/2022*Defendant's signature**Signature of defendant's attorney*Megan Chalifoux*Printed name of defendant's attorney*

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/s/ David P. Rush
DAVID P. RUSH
United States Magistrate Judge

Date: December 19, 2022

UNITED STATES DISTRICT COURT

for the

Western District of Missouri

United States of America

v.

RUBEN CAZARES

*Defendant*Case No. 22-mj-2075DPR

Charging District's

Case No. _____

COMMITMENT TO ANOTHER DISTRICT

The defendant has been ordered to appear in the _____ District of Minnesota,
 (if applicable) _____ division. The defendant may need an interpreter for this language:
 _____.

The defendant: ☐ will retain an attorney.
☒ is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

IT IS ORDERED: The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

Date: 12/19/2022

/s/ David P. Rush

Judge's signature

David P. Rush United States Magistrate

Printed name and title



**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI**

Southern and Southwestern Divisions
United States Courthouse
222 North John Q. Hammons Parkway
Suite 1400
Springfield, Missouri 65806
(417) 865-3869

Transfer of ☒ Criminal Case or ☒ Magistrate Case

WDMO Case No.: 22-mj-2075DPR

Case Title: USA v. Ruben Cazares

Dear Sir/Madam:

Pursuant to ☒ F.R.Cr.P. 5 ☐ F.R.Cr.P. 32

- ☒ Attached are all public documents and the docket sheet.
- ☐ Certified copy of documents filed prior to November 1, 2004 and docket sheet.
- ☐ Not for public view document(s).
- ☐ Other

Pursuant to F.R.Cr.P. 20

- ☐ Attached are all public documents and the docket sheet.
- ☐ Certified copy of documents filed prior to November 1, 2004 and docket sheet.
- ☐ Not for public view document(s).
- ☐ Other

Pursuant to 18 U.S.C. § 3605 Transfer of Jurisdiction ☐ Supervised Release ☐ Probation

- ☐ Attached are the last charging document, the judgment and commitment, revocation orders (if any), and the docket sheet.
- ☐ Certified copy of documents filed prior to November 1, 2004 and docket sheet.
- ☐ Not for public view document(s).
- ☐ Other

Sincerely,

Paige Wymore-Wynn, Clerk of Court

By s/ Rebecca Furtak
Deputy Clerk

TO BE COMPLETED BY RECEIVING DISTRICT

Please acknowledge receipt via e-mail to spfdgen@mow.uscourts.gov

Clerk, U.S. District Court

Date: _____

By _____
Deputy Clerk

CLOSED

**U.S. District Court
Western District of Missouri (Springfield)
CRIMINAL DOCKET FOR CASE #: 6:22-mj-02075-DPR All Defendants**

Case title: USA v. Cazares

Date Filed: 12/14/2022

Date Terminated: 12/19/2022

Assigned to: Magistrate Judge
David P. Rush

Defendant (1)

Ruben Cazares

TERMINATED: 12/19/2022

represented by **Ian A. Lewis**

Federal Public Defender's Office – Springfield
901 St. Louis Street
Suite 801

Springfield, MO 65806

(417) 873-9022

Fax: (417) 873-9038

Email: ian_lewis@fd.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

*Designation: Public Defender or Community
Defender Appointment*

Bar Status: Active

Megan Chalifoux

Federal Public Defender

901 St. Louis St.

Ste. 801

Springfield, MO 65806

417-873-9022

Fax: 417-873-9038

Email: megan_chalifoux@fd.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

*Designation: Public Defender or Community
Defender Appointment*

Bar Status: Active

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

18:3583.F

Disposition

Plaintiff**USA**

represented by **Randall D. Eggert**
 U. S. Attorney's Office
 901 St. Louis Street
 Suite 500
 Springfield, MO 65806
 417/831-4406
 Fax: 417/831-0078
 Email: Randy.Eggert@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney
Bar Status: Active

Email All Attorneys

Email All Attorneys and Additional Recipients

Date Filed	#	Docket Text
12/14/2022	<u>1</u>	RULE 5 as to Ruben Cazares (1). (Berziel, Karla) (Entered: 12/14/2022)
12/14/2022	<u>2</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Ruben Cazares. (Berziel, Karla) (Entered: 12/14/2022)
12/14/2022	<u>3</u>	NOTICE OF HEARING as to Ruben Cazares. This is the official notice for this hearing. Initial Appearance – Rule 5 set for 12/19/2022 at 1:30 PM in MJ Courtroom, Springfield (DPR) before Magistrate Judge David P. Rush. This is a TEXT ONLY ENTRY. No document is attached. (Berziel, Karla) (Entered: 12/14/2022)
12/19/2022	<u>4</u>	Minute Entry for proceedings held before Magistrate Judge David P. Rush: INITIAL APPEARANCE in Rule 5(c)(3) Proceedings as to Ruben Cazares held on 12/19/2022. Appearance entered by Megan Chalifoux for Ruben Cazares on behalf of defendant. Time in court: 1:20 p.m. to 1:24 p.m.. DEFENDANT IN CUSTODY. To order a transcript of this hearing please contact Rebecca Furtak, 417-225-7703. (Furtak, Rebecca) (Entered: 12/19/2022)
12/19/2022	<u>5</u>	WAIVER of Rule 5(c)(3) Hearings by Ruben Cazares. (Furtak, Rebecca) (Entered: 12/19/2022)
12/19/2022	<u>6</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Ruben Cazares. Signed on 12/19/2022 by Magistrate Judge David P. Rush.(Furtak, Rebecca) (Entered: 12/19/2022)
12/19/2022	<u>7</u>	COMMITMENT TO ANOTHER DISTRICT as to Ruben Cazares. defendant committed to District of District of Minnesota. Signed on 12/19/2022 by Magistrate Judge David P. Rush.(Furtak, Rebecca) (Entered: 12/19/2022)
12/19/2022	<u>8</u>	Notice to District of Minnesota of a Rule 5 Transfer as to Ruben Cazares. If you require certified copies of any documents, please send a request to spfdgen@mow.uscourts.gov. If you wish to designate a different email address for future transfers, send your request to InterDistrictTransfer_TXND@txnd.uscourts.gov. (Attachments: # <u>1</u> Appendix) (Furtak, Rebecca) (Entered: 12/19/2022)
12/20/2022	<u>10</u>	BOND REPORT as to Ruben Cazares. Document is available to applicable parties only. Authorized users enter PACER login and password first for authentication. (Hudson, Jamie) (Entered: 12/20/2022)